

# COMMITTEE REPORT

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## MADAM PRESIDENT:

The Senate Committee on Judiciary, to which was referred Senate Bill No. 83, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1           Page 1, between the enacting clause and line 1, begin a new  
2 paragraph and insert:  
3           "SECTION 1. IC 35-41-1-8 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 8. **(a) Except as**  
5 **provided in subsection (b), "deadly weapon" means the following:**  
6           (1) A loaded or unloaded firearm.  
7           (2) A destructive device, weapon, device, ~~taser (as defined in~~  
8 ~~IC 35-47-8-3)~~ or ~~electronic stun weapon (as defined in~~  
9 ~~IC 35-47-8-1)~~; equipment, chemical substance, or other material  
10 that in the manner it is used, or could ordinarily be used, or is  
11 intended to be used, is readily capable of causing serious bodily  
12 injury.  
13           (3) An animal (as defined in IC 35-46-3-3) that is:  
14           (A) readily capable of causing serious bodily injury; and  
15           (B) used in the commission or attempted commission of a  
16 crime.  
17           (4) A biological disease, virus, or organism that is capable of  
18 causing serious bodily injury.  
19           **(b) The term does not include:**  
20           **(1) a taser (as defined in IC 35-47-8-3);**  
21           **(2) an electronic stun weapon (as defined in IC 35-47-8-1);**  
22           **(3) a chemical designed to temporarily incapacitate a person;**

1           **or**  
2           **(4) another device designed to temporarily incapacitate a**  
3           **person;**  
4           **if the device described in subdivisions (1) through (4) is used by a**  
5           **law enforcement officer who has been trained in the use of the**  
6           **device and who uses the device in accordance with the law**  
7           **enforcement officer's training."**  
8           Renumber all SECTIONS consecutively.  
            (Reference is to SB 83 as introduced.)

**and when so amended that said bill do pass .**

Committee Vote: Yeas 9, Nays 0.

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**Senator Bray, Chairperson**